

ASSEMBLY BILL

No. 2250

Introduced by Assembly Member Harkey

February 18, 2010

An act to amend Section 20391 of the Government Code, relating to public employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 2250, as introduced, Harkey. Public employees' retirement: safety members.

The Public Employees' Retirement Law (PERL) creates the Public Employees' Retirement System (PERS), which provides a defined benefit to its members based on age at retirement, service, credit, and final compensation. That law defines a "state peace officer/firefighter" in terms of employees employed by specified state departments in specified job classifications and provides higher retirement benefit formulas and higher employer and employee contribution rates for state peace officer/firefighter members than for other members.

This bill would make technical, nonsubstantive changes to the definition of "state peace officer/firefighter."

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 20391 of the Government Code is
- 2 amended to read:
- 3 20391. "State peace officer/firefighter member" means:

1 (a) All persons in the Board of Prison Terms, the Department
2 of Consumer Affairs, the Department of Developmental Services,
3 the Department of Health Services, the Department of Toxic
4 Substances Control, the Horse Racing Board, the Department of
5 Industrial Relations, the Department of Insurance, the Department
6 of Mental Health, the Department of Motor Vehicles, the
7 Department of Social Services employed with the class title of
8 Special Investigator (Class Code 8553), Senior Special Investigator
9 (Class Code 8550), and Investigator Assistant (Class Code 8554)
10 who have been designated as peace officers as defined in Sections
11 830.2 and 830.3 of the Penal Code.

12 (b) All persons in the Department of Alcoholic Beverage Control
13 employed with the class title Investigator Trainee, Alcoholic
14 Beverage Control (Class Code 7553), Investigator I, Alcoholic
15 Beverage Control, Range A and B (Class Code 7554), and
16 Investigator II, Alcoholic Beverage Control (Class Code 7555)
17 who have been designated as peace officers as defined in Sections
18 830.2 and 830.3 of the Penal Code.

19 (c) All persons within the Department of Justice who are state
20 employees, as defined in subdivision (c) of Section 3513, and who
21 have been designated as peace officers and performing investigative
22 duties.

23 (d) All persons in the Department of Parks and Recreation
24 employed with the class title of Park Ranger (Intermittent) (Class
25 Code 0984) who have been designated as peace officers as defined
26 in Sections 830.2 and 830.3 of the Penal Code.

27 (e) All persons in the Franchise Tax Board who have been
28 designated as peace officers in subdivision (s) of Section 830.3 of
29 the Penal Code.

30 (f) A member who is employed in a position that is reclassified
31 to state peace officer/firefighter pursuant to this section may make
32 an irrevocable election in writing to remain subject to the service
33 retirement benefit and the normal rate of contribution applicable
34 prior to reclassification by filing a notice of election with the board
35 within 90 days of notification by the board. A member who so
36 elects shall be subject to the reduced benefit factors specified in
37 Section 21353 or 21354.1, as applicable, only for service included
38 in the federal system.

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